

**WEDNESDAY FEBRUARY 10, 1999**

**FIFTH LEGISLATIVE DAY**

The House met at 2:00 p.m. and was called to order by Mr. Speaker Naifeh.

The proceedings were opened with prayer by Representative McAfee.

Representative McAfee led the House in the Pledge of Allegiance to the Flag.

**ROLL CALL**

The roll call was taken with the following results:

Present.....97

Representatives present were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 97.

**EXCUSED**

The Speaker announced that the following member(s) has/have been excused, pursuant to request(s) under **Rule No. 20**:

Representative Cole (Dyer); business reasons.

Representative White; family illness.

**MESSAGE FROM THE SENATE**  
**February 9, 1999**

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 16; for the signature of the Speaker.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

**SIGNED**  
**February 9, 1999**

The Speaker signed the following: Senate Joint Resolution(s) No(s). 16.

**MESSAGE FROM THE SENATE**  
**February 9, 1999**

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 2, 10, 12, 13, 14, 15, 18, 22, 23, 24, 44, 45, and 51; for the signature of the Speaker.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

**SIGNED**  
**February 9, 1999**

The Speaker signed the following: Senate Joint Resolution(s) No(s). 2, 10, 12, 13, 14, 15, 18, 22, 23, 24, 44, 45, and 51.

**INTRODUCTION OF RESOLUTIONS**

On motion, pursuant to **Rule No. 17**, the resolution(s) listed was/were introduced and referred to the appropriate Committee:

**\*House Joint Resolution No. 36** -- General Assembly, Studies - Creates joint committee to study present and future funding methods for TWRA. by \*Bittle, \*Ridgeway, \*Kisber.

House Conservation and Environment Committee

**\*House Joint Resolution No. 45** -- Historical Sites and Preservation - Provides for erection of plaque at New Hope Baptist Church, oldest church in New Hope. by \*McDonald, \*Black.

House Conservation and Environment Committee

**House Joint Resolution No. 46** -- Memorials, Retirement - Dr. Joseph E. Johnson, President, University of Tennessee. by \*McAfee, \*Pinion, \*Kent, \*Westmoreland, \*McKee, \*Stulce, \*Newton, \*Boyer, \*Sharp, \*Williams (Williamson), \*Walker (Rhea), \*Bittle, \*Ridgeway, \*Turner (Hamilton), \*Wood, \*Armstrong, \*Tindell, \*Hagood, \*Rinks, \*Phelan, \*Hargrove, \*Fraleigh, \*Sands, \*McDaniel, \*Head.

Held on House Desk

**\*House Joint Resolution No. 50** -- Highway Signs - "Don O'Neal Memorial Bridge," S.R. 22A spanning Little White Oak Canal and Old Creek Run, Chester County. by \*Walley.

House Transportation Committee

## RESOLUTIONS

Pursuant to **Rule No. 17**, the following resolution(s) was/were introduced and placed on the Consent Calendar for February 11, 1999:

**House Resolution No. 8** -- Memorials, Recognition and Thanks - Glenn "Bo" Melson. by \*Phillips, \*Hood.

**House Resolution No. 10** -- Memorials, Interns - Lee Thrasher, MTSU International Intern. by \*Phillips.

**House Joint Resolution No. 51** -- Memorials, Sports - Milan High School football team, TSSAA Division 1 Class 2A state champions. by \*Phelan, \*Pinion.

**House Joint Resolution No. 57** -- Memorials, Death - Stephen Allen Bowman, Governor's Drug Task Force agent. by \*Whitson.

**House Joint Resolution No. 60** -- Memorials, Recognition and Thanks - Tennessee Wildlife Resources Agency and Tennessee Wildlife Resources Commission, 50th anniversary. by \*Bittle.

**House Joint Resolution No. 66** -- Memorials, Sports - Jeff Hall, University of Tennessee kicker. by \*Fraleigh.

## INTRODUCTION OF BILLS

On motion, the following bills were introduced and passed first consideration:

**House Bill No. 415** -- Teachers, Principals and School Personnel - Enacts "Tennessee School Employee Religious Liberty Act of 1999." Amends TCA Title 49, Chapter 6. by \*Fitzhugh.

**\*House Bill No. 416** -- Firearms and Ammunition - Exempts from criminal background check person with valid permit to carry concealed weapon. Amends TCA Title 39, Chapter 17, Part 13. by \*Newton.

**\*House Bill No. 417** -- DUI/DWI Offenses - Reduces from 15 to ten days time commissioner of safety has to make decision in case involving suspension of a driver license for DUI. Amends TCA Title 55, Chapter 10. by \*Newton.

**\*House Bill No. 418** -- Historical Commission - Expands time period, from 30 to 45 days, in which state historical commission must review and comment on plans to alter, demolish or transfer state property that is of historical, architectural or cultural significance. Amends TCA Title 4, Chapter 11. by \*Newton.

**\*House Bill No. 419** -- Utilities, Utility Districts - Provides for sale of multi-county water utility districts to private water provider under certain circumstances. Amends TCA Section 7-82-104; Title 7, Chapter 82, Part 6; Section 65-5-203; Section 65-5-201 and Section 65-5-202. by \*Rhinehart.

**\*House Bill No. 420** -- Loan Companies and Short Term Lenders - Revises Tennessee Pawnbrokers Act of 1988; revises authority of local governments in enacting local ordinances to regulate pawnbrokers; establishes right of privacy of pawn customers. Amends TCA Title 45, Chapter 6, Part 2. by \*Rhinehart.

**\*House Bill No. 421** -- Highways, Roads and Bridges - Requires chief administrative officers under county uniform highway law to demonstrate receipt of high school diploma or equivalency diploma if such diploma required under law. Amends TCA Section 54-7-104. by \*Rhinehart.

**House Bill No. 422** -- Claims Commission, Tennessee - Prohibits mandatory dismissal of case by commission for claimant's failure to take action to advance claim to disposition, instead granting commission discretionary authority to dismiss claim. Amends TCA Section 9-8-402. by \*Windle.

**House Bill No. 423** -- Taxes, Privilege - Retains inspection fee cap of 8 percent of wholesale price of alcoholic beverages in Gatlinburg, notwithstanding that growth of Sevier County would lower cap to 5 percent. Amends TCA Section 57-3-501(b). by \*Montgomery.

**House Bill No. 424** -- Local Government, General - Authorizes local governments to enter into enforceable memoranda of understanding with local bargaining units. Amends TCA Title 8. by \*Kent.

**\*House Bill No. 425** -- Consumer Protection - Requires maintenance of do-not-call lists by persons or entities engaged in telemarketing; violation Class A misdemeanor, punishable by fine only not to exceed \$2,500 per violation. Amends TCA Title 47, Chapter 18. by \*Stulce.

**House Bill No. 426** -- Consumer Protection - Requires law enforcement officers to ask accident victims certain information concerning desire about receiving unsolicited calls concerning accident from telemarketers; makes it violation of Consumer Telemarketing Protection Act and FTC ruling if telemarketers call persons not wanting to be called. Amends TCA Title 47, Chapter 18, Part 15 and Section 55-10-108. by \*Stulce.

**\*House Bill No. 427** -- Forest and Forest Products - Enacts "Tennessee Forest Practices Act." Amends TCA Title 11, Chapter 4; Title 67, Chapter 7 and Section 70-1-305. by \*Stulce.

**\*House Bill No. 428** -- Education, Higher - Defines and identifies University of Memphis as multi-purpose urban research university. Amends TCA Title 49, Chapter 9. by \*Hargett.

**\*House Bill No. 429** -- Criminal Offenses - Revokes driver license upon conviction for vehicular assault. Amends TCA Section 39-13-106. by \*Hargett.

**\*House Bill No. 430** -- Landlord and Tenant - Imposes non-criminal fines and penalties on owners, landlords, lessors and assignees of rents for failure to prevent repeated violations of drug dealing on rental property. Amends TCA Title 53, Chapter 11, Part 5. by \*Hargett.



**House Bill No. 431** -- Insurance Companies, Agents, Brokers, Policies - Relieves reciprocal insurers from statutory requirement that insurer's principal place of business and primary offices and all original books be located in Tennessee if insurer's offices and records were located and maintained outside Tennessee prior to January 1, 1996. Amends TCA Title 56, Chapter 16, Part 3. by \*Fraleay.

**House Bill No. 432** -- Franklin County - Subject to local approval, transfers duties of juvenile court clerk to circuit court clerk. Amends Chapter 302 of the Private Acts of 1982. by \*Fraleay.

**House Bill No. 433** -- Pensions and Retirement Benefits - Allows various county associations to share liability arising from withdrawal of participation in TCRS. Amends TCA Section 8-35-211(c)(2). by \*Rhinehart.

**\*House Bill No. 434** -- Tennessee Wildlife Resources Agency - Specifies that in addition to retired wildlife officers receiving prorated longevity pay, otherwise qualified retired commissioned employees may also receive prorated longevity pay. Amends TCA Section 8-23-206(a)(5). by \*Rhinehart.

**House Bill No. 435** -- Game and Fish Laws - Rewrites certain hunting, fishing and boating licensure provisions. Amends TCA Sections 70-2-105, 70-2-106 and 70-2-107. by \*Ridgeway, \*Bittle.

**\*House Bill No. 436** -- Fire Prevention and Investigation - Authorizes additional or alternative method for counties to fund fire protection services in unincorporated areas through situs based taxes collected in unincorporated areas or revenues already shared with municipalities. Amends TCA Title 5, Chapter 17. by \*Curtiss.

**House Bill No. 437** -- Charitable Solicitations - Removes audited financial statement from documents required to be filed for renewal of registration for charitable organizations. Amends TCA Section 48-101-506. by \*Wood.

**\*House Bill No. 438** -- Railroads - Clarifies that notice of appeal must be filed within 30 days of adverse decision of commissioner of transportation concerning extension of time for construction of railroad grade crossings. Amends TCA Title 65, Chapter 11. by \*Fowlkes.

**\*House Bill No. 439** -- Aged Persons - Directs department of human services to establish, on pilot basis, community-based, interagency task force on exploitation of elderly and disabled adults; requires evaluation report of such pilot project. Amends TCA Title 71, Chapter 6. by \*Brown, \*Sharp, \*Stulce, \*Turner (Hamilton), \*McAfee, \*Wood, \*Armstrong.

**\*House Bill No. 440** -- Education, Higher - Requires THEC annual report to be published prior to January 1 rather than February 15. Amends TCA Title 49, Chapter 7, Part 2. by \*Kisber.

**\*House Bill No. 441** -- Judges and Chancellors - Prohibits public funds from being used to lease office space, facilities or equipment for use by judge or chancellor if lessor is such judge or chancellor or a relative of such judge or chancellor. Amends TCA Title 17, Chapter 1. by \*Kisber.

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**\*House Bill No. 442** -- Libraries - Creates Tennessee electronic library to be administered by state library and archives. Amends TCA Title 10, Chapter 1. by \*Kisber, \*McMillan.

**House Bill No. 443** -- Libraries - Makes state employees out of regional library board employees; makes regional library boards to be advisory boards. Amends TCA Section 8-34-101; Section 8-34-206(b); Section 8-34-612(b); Section 8-35-101(c); Section 8-35-212; Section 8-35-215; Section 8-37-202(a)(3) and Title 10, Chapter 5. by \*Kisber, \*McMillan.

**\*House Bill No. 444** -- Taxes, Exemption - Makes all questions of tax-exempt status subject to judicial review in chancery court after board determination. Amends TCA Title 48 and Title 67. by \*Givens.

**\*House Bill No. 445** -- Hospitals and Health Care Facilities - Requires hospitals to annually make and submit report on community benefits to department of health. Amends TCA Section 68-11-310. by \*Givens.

**House Bill No. 446** -- Budget Procedures - Enacts "Tennessee Tobacco Trust Fund Act" Amends TCA Title 9; Title 49; Title 63; Title 67; Title 68 and Title 71. by \*Kisber.

**House Bill No. 447** -- Fences and Enclosures - Increases court fee from 50 cents to \$1.00 for issuing order in cases involving partition fences. Amends TCA Title 44, Chapter 8. by \*Kisber.

**House Bill No. 448** -- Taxes, Sales - Decreases sales tax on food based on budget estimates. Amends TCA Title 67, Chapter 6. by \*Langster, \*DeBerry L, \*Bowers, \*Hargrove, \*Pruitt, \*Jones, S..

**House Bill No. 449** -- Taxes, Sales - Reduces state sales tax on food from 6 to 5.5 percent; imposes sales tax on temporary employment services. Amends TCA Title 67, Chapter 6. by \*Langster, \*DeBerry L, \*Bowers, \*Hargrove, \*Jones, S..

**\*House Bill No. 450** -- Firefighters - Requires department of commerce and insurance to establish minimum requirements to be recognized as fire department. Amends TCA Title 68. by \*Godsey, \*Sands, \*McDaniel, \*Mumpower, \*Givens.

**\*House Bill No. 451** -- State Employees - Extends state employee and children of state employee tuition discounts to all employees of military department, however classified. Amends TCA Section 8-50-114 and Section 8-50-115. by \*McDonald, \*Bone, \*Davidson, \*Fowlkes, \*Arriola.

**House Bill No. 452** -- Public Funds and Financing - Prohibits use of public funds for public relations services by entity in the legislative, judicial or executive branch of government; excludes funds appropriated to keep or increase employment by promoting trade, industry, commerce, tourism or recreation and conferences, training or similar meetings; requires cancellation of current contracts for such services. Amends TCA Title 4, Chapter 1. by \*McDonald, \*Bone, \*Fowlkes, \*Williams (Williamson), \*Arriola.

**\*House Bill No. 453** -- Education - Revises provisions for character education in public schools; provides for annual report to joint oversight committee on education. Amends TCA Section 49-6-1007. by \*McDonald, \*Bone, \*Davidson, \*Fowlkes, \*Hood, \*Arriola.

**\*House Bill No. 454** -- Consumer Protection - Makes it deceptive act under Consumer Protection Act for supplier of goods or services to misrepresent geographic location of supplier by listing local telephone number in local telephone directory under certain conditions. Amends TCA Title 47, Chapter 18, Part 1. by \*McDonald, \*Black, \*Bone, \*Davidson, \*Fowlkes, \*Arriola.

**\*House Bill No. 455** -- Taxes, Sales - Abolishes provision that if county adopts local sales tax at least equal to city's tax rate in such county, the city's tax rate is ineffective. Amends TCA Section 67-6-703. by \*McDonald, \*Davidson.

**\*House Bill No. 456** -- Victims' Rights - For restitution purposes only, defines "insurance company" as victim. Amends TCA Section 40-35-304. by \*McDonald, \*Black, \*Bone, \*Davidson.

**\*House Bill No. 457** -- Local Education Agency - Allows LEAs to continue to include students who graduate early in average daily membership figures for additional period of time student would have been in school. Amends TCA Title 49, Chapter 3, Part 3. by \*McDonald, \*Black, \*Bone, \*Davidson.

**\*House Bill No. 458** -- Teachers, Principals and School Personnel - Provides for immediate dismissal of teachers convicted of felonies. Amends TCA Sections 49-5-511. by \*McDonald, \*Bone, \*Fowlkes.

**\*House Bill No. 459** -- Business and Commerce - Imposes financial liability upon alarm system contractor for losses of subscriber caused by contractor's failure to timely notify authorities; prohibits any contract provision designed to limit such liability of contractor. Amends TCA Title 62, Chapter 32, Part 3. by \*McDonald, \*Bone, \*Davidson.

**\*House Bill No. 460** -- Opticians - Specifies licensing requirements to become licensed dispensing optician. Amends TCA Section 63-14-103. by \*McAfee, \*Wood.

**\*House Bill No. 461** -- Taxes, Exemption - Exempts sale of yard waste processed into mulch, compost, wood chips or wood by-products by local government or public instrumentality owning or operating municipal solid waste incinerator. Amends TCA Section 67-6-329. by \*McDonald.

**\*House Bill No. 462** -- Driver Licenses - Establishes special driving skills examination for applicants between ages of 16 and 18. Amends TCA Title 55, Chapter 50. by \*McDonald.

**\*House Bill No. 463** -- Wildlife Resources Commission - Authorizes commissioners of environment and conservation and agriculture to designate deputy or assistant commissioner in lieu of personally serving on Tennessee wildlife resources commission; such designees to be voting members. Amends TCA Section 70-1-201. by \*McDonald.

**\*House Bill No. 464** -- Divorce and Annulment - Adds relevant factors for courts to consider when awarding rehabilitative support for spouse who is at economic disadvantage. Amends TCA Title 36, Chapter 5. by \*McDonald.

**\*House Bill No. 465** -- Financial Disclosure - Extends prohibition on campaign contributions by certain multicandidate political campaign committees prior to day of election, from ten to 15 days. Amends TCA Title 2, Chapter 10. by \*Hargett.

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**\*House Bill No. 466** -- Criminal Offenses - Prohibits ticket scalping. Amends TCA Title 39, Chapter 17, Part 11. by \*Hargett, \*Jones, S..

**\*House Bill No. 467** -- TennCare - Limits expenditures by MCOs to 2 percent of capitation funds for marketing purposes. Amends TCA Title 71, Chapter 5, Part 1. by \*Hargett.

**\*House Bill No. 468** -- Private Protective Services - Authorizes security guards and officers employed by contract security companies to issue traffic citations. Amends TCA Title 62, Chapter 35, Part 1. by \*Hargett.

**\*House Bill No. 469** -- Agriculture - Includes nursery and greenhouse operations and nursery and forestry products within protections granted to farm operations and farm products under Right to Farm Act. Amends TCA Title 43, Chapter 26, Part 1. by \*Givens.

**\*House Bill No. 470** -- Fences and Enclosures - Adds additional types of fencing to inventory of sufficient fences; deletes provisions requiring enclosure of cotton gins, saltpeter and saltworks; deletes provisions relative to grazing and ranging of livestock. Amends TCA Title 44, Chapter 8. by \*Givens.

**House Bill No. 471** -- Jonesborough - Subject to local approval, revises terms of aldermen and election date for mayor and aldermen. Amends Chapter 135 of the Acts of 1903, as amended. by \*Patton, \*Davis (Wash).

**\*House Bill No. 472** -- Custody and Support - Requires department of human services no later than 12-1-99 to recommend to supreme court modifications of child support guidelines to adopt income sharing model rather than current flat percent of non-custodial parent's income. Focus to be best interests of child and fair allocation between parents. Amends TCA Title 36, Chapter 5, Part 1. by \*Walley.

**\*House Bill No. 473** -- Motor Vehicles, Titling and Registration - Deletes requirement that United States military plates include words "Volunteer State" at bottom of such plates. Amends TCA Title 55, Chapter 4. by \*Walley.

**\*House Bill No. 474** -- Judges and Chancellors - Divides 25th judicial district into two parts; provides that chancellor residing in Covington and circuit judge residing in Ripley serve Part 1, consisting of Tipton and Lauderdale counties; and that chancellor residing in Bolivar and circuit judge residing in Somerville serve Part 2, consisting of Fayette, Hardeman and McNairy counties. Amends TCA Section 16-2-506. by \*Walley.

**\*House Bill No. 475** -- Education, Higher - Limits out-of-state enrollment at state institutions of higher education to 10 percent of enrollment unless unoccupied places are available at start of classes. Amends TCA Section 49-7-101, Section 49-8-102, and Section 49-9-209. by \*Walley.

**\*House Bill No. 476** -- Drugs - Enacts "Drug Stoppers Act of 1999." Amends TCA Title 4; Title 39; Title 40 and Title 53. by \*Walley.

**\*House Bill No. 477** -- Motor Vehicles, Titling and Registration - Deletes waiver that permits commissioner of safety to omit name of county of issuance on cultural, specialty earmarked, new specialty earmarked, memorial or special purpose plates if additional space is needed for logo or message on such plate. Amends TCA Title 55, Chapter 4. by \*Walley.

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**House Bill No. 478** -- Loan Companies and Short Term Lenders - Expands types of products which may be offered and charges which may be assessed by industrial loan and thrift companies. Amends TCA Section 45-5-305; Section 45-5-403 and Section 45-5-301. by \*Curtiss.

**House Bill No. 479** -- Cemeteries - Requires perpetual care trust fund accounts to be located in Tennessee. Amends TCA Title 46, Chapter 7, Part 1. by \*Rhinehart.

**\*House Bill No. 480** -- Budget Procedures - Enacts "Tennessee Millennium Trust Act." Amends TCA Title 9, Chapter 4. by \*McDonald.

**\*House Bill No. 481** -- Credit and Debit Cards - Allows certain county trustee to accept payment of state and county taxes by credit or debit card; allows such trustee to collect payment processing fee and service charge for card being dishonored. Amends TCA Section 67-1-704. by \*Cole (Dyer).

**House Bill No. 482** -- Smyrna - Subject to local approval, authorizes mayor and board of commissioners to set their own salaries. Amends Chapter 284 of the Private Acts of 1915; as amended. by \*Eckles.

**House Bill No. 483** -- TennCare - Requires TennCare bureau to produce and pay for distribution of information to enrollees concerning changes in benefit package mandated by bureau. Amends TCA Title 71. by \*Eckles.

**House Bill No. 484** -- TennCare - Requires Bureau of TennCare and MCOs to have 30 day open enrollment period each year for uninsured persons whose employer does not offer health insurance. Amends TCA Title 71. by \*Eckles.

**\*House Bill No. 485** -- TennCare - Requires commissioner of health to create and mandate use of universal form for providers to use for applying to join MCO network. Amends TCA Title 56 and Title 71. by \*Eckles.

**\*House Bill No. 486** -- TennCare - Requires commissioner of health to promulgate by rule uniform claim form to be used by providers seeking reimbursement from MCOs. Amends TCA Title 56 and Title 71. by \*Eckles.

**\*House Bill No. 487** -- TennCare - Requires state comptroller to do actuarial study of TennCare program and its MCOs every two years. Amends TCA Title 71. by \*Eckles.

**\*House Bill No. 488** -- Comptroller, State - Requires comptroller to make annual audit and evaluation of state expenditures of funds received in any tobacco industry litigation settlement. Amends TCA Title 4; Title 68 and Title 71. by \*Eckles.

**\*House Bill No. 489** -- Comptroller, State - Requires comptroller to do annual audit of state's expenditures under Children's Health Insurance Program and report the findings on or before 1/15 of each year. Amends TCA Title 68. by \*Eckles.

**House Bill No. 490** -- School Districts, Special - Revises procedures on bond issues in the Franklin Special School District. Amends Chapter 563 of the Private Acts of 1949. by \*Sargent, \*Williams (Williamson).

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**House Bill No. 491** -- School Districts, Special - At request of district board of education, provides for issuance and funding of \$32.5 million in bonds by Franklin Special School District. Amends Title 563 of the Private Acts of 1949. by \*Sargent, \*Williams (Williamson).

**\*House Bill No. 492** -- Business Organizations - Authorizes president and secretary of corporation to be same person or entity if such person or entity only shareholder of such corporation; permits limited liability company to exist with only one member, instead of with two or more members. Amends TCA Title 48, Chapter 18 and Chapter 203. by \*Hargett.

**House Bill No. 493** -- Teachers, Principals and School Personnel - Provides for reimbursement, up to \$2,000, to each teacher certified by National Board for Professional Teaching Standards. Amends TCA Section 49-5-5609. by \*Jones U (Shelby).

**House Bill No. 494** -- Local Education Agency - Allows local education funds to be distributed on same basis as state BEP funding. Amends TCA Section 49-3-315. by \*Towns.

**\*House Bill No. 495** -- Insurance Companies, Agents, Brokers, Policies - Recognizes insurance compliance evaluation privilege to protect confidentiality of communications relating to voluntary internal compliance evaluations of insurance companies and persons conducting activities regulated under TCA Title 56. Amends TCA Title 56, Chapter 3, Part 1. by \*Sands.

**House Bill No. 496** -- Insurance Companies, Agents, Brokers, Policies - Limits obligation of state guaranty insurance association to defend and pay benefits under certain circumstances; stipulates respective rights between state guaranty insurance association and insureds and rights of association to recover amounts of certain covered claims. Amends TCA Title 56, Chapter 12 and Title 56, Chapter 9. by \*Sands.

**\*House Bill No. 497** -- Hospitals and Health Care Facilities - Removes from CON requirements satellite hospitals previously licensed as independent hospitals. Amends TCA Section 68-11-106. by \*Bone.

**House Bill No. 498** -- Basic Education Program (BEP) - Phases in reduction from 2 to 1 percent in annual school enrollment growth which is required to trigger use of current school year attendance figures for funding purposes rather than previous school year figures. Amends TCA Title 49, Chapter 3, Part 3. by \*Davidson, \*Head.

**House Bill No. 499** -- Taxes, Exemption - Exempts sales to out-of-state buyers from sales and use tax if delivery made outside Tennessee; also allows out-of-state tax exempt entities to present proof from state of residence of tax-exempt status. Amends TCA Title 67, Chapter 6, Part 3. by \*Davidson, \*Head.

**House Bill No. 500** -- Education - Allows office of education accountability to review LEA compliance with applicable state and national standards. Amends TCA Section 4-3-308 and Title 49, Chapter 1. by \*Davidson.

**\*House Bill No. 501** -- Criminal Offenses - Enacts "Tennessee Identity Theft and Assumption Deterrence Act of 1999." Amends TCA Title 39. by \*Boyer.

**\*House Bill No. 502** -- Tort Liability - Creates cause of action for damages against HMO or BHO and medical directors for harm to enrollee related to treatment decisions on access to services, procedures and facilities; requires designation of licensed physician as medical director; nothing in present law that BHOs or HMOs are deemed to not practice a healing art is a defense. Amends TCA Title 29. by \*Odom, \*Briley, \*Jones, S., \*Langster, \*Pruitt, \*Turner (Hamilton), \*Kisber, \*West, \*Williams (Williamson), \*Arriola, \*Newton.

**House Bill No. 503** -- Highways, Roads and Bridges - Extends Industrial Highway Act to apply to certain commercial highways. Amends TCA Title 54, Chapter 5 and Section 67-3-2003. by \*Black.

**House Bill No. 504** -- Highways, Roads and Bridges - Changes name of "Local Interstate Connecting Route Act" to "Local Interstate and Limited Access Highway Connector Act"; makes conforming changes to expand scope of act to include limited access highways. Amends TCA Title 54, Chapter 5, Part 5. by \*Black.

**House Bill No. 505** -- Paternity - Creates right of putative father to file petition under present legitimation statute, notwithstanding dismissal of petition under prior legitimation statute when dismissal was based on mother's marriage to another man at time of conception or on petitioner's lack of standing; doctrines of res judicata and collateral estoppel do not bar new action. Amends TCA Title 36, Chapter 2, Part 3. by \*Black.

**\*House Bill No. 506** -- Transportation, Dept. of - Prohibits contracts with private persons or entities to promote achievements or goals of comprehensive state and local transportation planning. Amends TCA Title 54; Title 55; Title 65 and Title 67. by \*Head.

**\*House Bill No. 507** -- Contractors - Authorizes state board for licensing contractors to suspend or revoke license or renewal of license for failure of contractor to pay subcontractors in accordance with contracts or agreements between contractor and subcontractor. Amends TCA Title 62, Chapter 6. by \*Head.

**\*House Bill No. 508** -- Consumer Protection - Imposes additional consumer protections for contests and sweepstakes. Amends TCA Title 47, Chapter 18, Part 1. by \*Odom.

**House Bill No. 509** -- Historical Sites and Preservation - Establishes certain procedures governing removal or exhumation of Native American Indian human remains and burial objects. Amends TCA Section 11-6-116 and Section 11-6-119. by \*Odom.

**\*House Bill No. 510** -- Witnesses - Increases penalty for failure of witness to appear from \$125 to \$150; increases fee witnesses under subpoena in civil matter may receive from \$30.00 to \$40.00; increases fee witnesses summoned before general sessions judge may receive from 50 cents to \$1.00 for each day's attendance. Amends TCA Title 24. by \*Odom.

**House Bill No. 511** -- Driver Licenses - Establishes maximum reinstatement fee of \$500 for all revocation/suspension actions over ten years old. Amends TCA Section 55-12-129. by \*Odom.

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**\*House Bill No. 512** -- TennCare - Requires TennCare funds appropriated and allocated to graduate medical education to be used for certain primary care residencies; requires commissioner of health to develop priority and develop mechanism to track and monitor spending of funds. Amends TCA Title 9 and Title 71. by \*Odom.

**\*House Bill No. 513** -- Conservation - Establishes land acquisition and conservation program and committee to administer program. Amends TCA Title 11 and Section 67-4-409. by \*Odom.

**\*House Bill No. 514** -- Penal and Reformatory Institutions - Requires private prison companies to reimburse state and local governments for costs associated with inmates who commit crimes while in private prison. Amends TCA Title 41, Chapter 24. by \*Odom.

**\*House Bill No. 515** -- Penal and Reformatory Institutions - Limits out of state prisoners in private correctional facilities to those incarcerated on July 1, 1999. Amends TCA Title 41, Chapter 24. by \*Odom.

**\*House Bill No. 516** -- Penal and Reformatory Institutions - Requires records of inmates in private prisons be open to the public. Amends TCA Title 10, Chapter 7, Part 5. by \*Odom.

**\*House Bill No. 517** -- Penal and Reformatory Institutions - Requires employees of private prison facilities to have 20 hours of training. Amends TCA Title 41, Chapter 24. by \*Odom.

**\*House Bill No. 518** -- Penal and Reformatory Institutions - Requires incidents in private prison facilities requiring disciplinary reports be reported to commissioner of correction, and speakers of house and senate, at least twice each month. Amends TCA Title 41, Chapter 24. by \*Odom.

**\*House Bill No. 519** -- Penal and Reformatory Institutions - Requires employees of private correctional facilities to undergo criminal background checks; prohibits persons with prior felony convictions from being employed by private correctional facility unless commissioner of correction approves; prohibits private correctional facilities from hiring former inmates of such facility. Amends TCA Title 41, Chapter 24. by \*Odom.

**\*House Bill No. 520** -- Taxes, Gasoline, Petroleum Products - Changes distribution of county share of state gas tax to strict population distribution rather than current three-part formula. Amends TCA Section 54-4-103 and Title 67, Chapter 3. by \*Hagood.

**House Bill No. 521** -- Courts, General Sessions - Increases jurisdiction of general sessions courts of Hamilton County from \$10,000 to \$15,000, same as other general sessions courts. Amends TCA 16-15-501(d)(2)(B). by \*Turner (Hamilton).



**SENATE BILLS TRANSMITTED**

On motion, the Senate Bills listed below, transmitted to the House, were held on the Clerk's desk pending third consideration of the companion House Bill as noted:

**\*Senate Bill No. 3** -- Insurance, Health, Accident - Requires fiscal review committee to prepare statement for each general bill that mandates coverage of health insurance benefit; statement to include estimated impact on premiums, including costs and costs savings to insurers, employers and health care system, stating reasons if no estimate can be given. Amends TCA Title 3, Chapter 2. by \*Kurita, \*Atchley.

**\*Senate Bill No. 11** -- Motor Vehicles - Reduces time from 90 to 30 days within which motor vehicle towing firms and storage yards must notify owners and lienholders of impoundment. Amends TCA Section 55-23-104; Section 55-23-103 and Section 66-19-103. by \*Rochelle, \*Cohen. (HB30 by \*Bone)

**\*Senate Bill No. 15** -- Highway Signs - "Colonel Clyde H. Wherley Memorial Bridge," U.S. 231 South at Robinson Road in Bedford County. by \*Womack. (HB9 by \*Phillips)

**\*Senate Bill No. 21** -- Bail, Bail Bonds - Provides that electronically transmitted facsimile copy of written bail undertaking has same legal effect as original written undertaking; facsimile of written undertaking signed by defendant has same legal effect as original signed by defendant. Amends TCA Section 40-11-114. by \*Cohen. (HB17 by \*Todd)

**\*Senate Bill No. 24** -- Criminal Offenses - Makes interference with any civil process server Class B misdemeanor unless offender uses a deadly weapon to interfere with process server, in which event Class A misdemeanor. Amends TCA Section 39-16-602. by \*Cohen.

**\*Senate Bill No. 32** -- Judges and Chancellors - Allows chancellor serving fourth and fifth judicial districts to reside in either district. Amends TCA Section 16-2-506. by \*Clabough. (HB615 by \*Kerr)

**Senate Bill No. 39** -- Bail, Bail Bonds - Repeals provision prohibiting constitutionally elected peace officer, deputy or any county official from acting as professional bondsman. - Repeals TCA Section 40-11-313. by \*Womack. (\*HB41 by \*Hood, \*Beavers, \*Eckles)

**Senate Bill No. 41** -- Highway Signs - "John H. Sallee Memorial Bridge," Florence Road over S.R. 840 in Rutherford County. by \*Womack. (\*HB39 by \*Eckles, \*Beavers, \*Hood)

**HOUSE BILLS ON SECOND CONSIDERATION**

On motion, bills listed below passed second consideration and were referred by the Speaker to Committee or held on the Clerk's desk as noted:

**\*House Bill No. 279** -- Motor Vehicles, Titling and Registration -- House Transportation Committee

**\*House Bill No. 280** -- Bail, Bail Bonds -- House Judiciary Committee

**\*House Bill No. 281** -- Barbers -- House Commerce Committee

**WEDNESDAY, FEBRUARY 10, 1999 -- FIFTH LEGISLATIVE DAY**

**\*House Bill No. 282** -- Teachers, Principals and School Personnel -- House Education Committee

**\*House Bill No. 283** -- Private Investigators -- House Commerce Committee

**\*House Bill No. 284** -- Education, Higher -- House Education Committee

**House Bill No. 285** -- Juvenile Offenders -- House Children and Family Affairs Committee

**House Bill No. 286** -- Insurance Companies, Agents, Brokers, Policies -- House Commerce Committee

**House Bill No. 287** -- Firefighters -- House State and Local Government Committee

**\*House Bill No. 288** -- Uniform Commercial Code -- House Commerce Committee

**House Bill No. 289** -- Campaigns -- House State and Local Government Committee

**House Bill No. 290** -- Firearms and Ammunition -- House Judiciary Committee

**\*House Bill No. 291** -- Highway Signs -- House Transportation Committee

**House Bill No. 292** -- Franklin -- Local Bill Held on House Desk

**House Bill No. 293** -- Municipal Government -- House Judiciary Committee

**House Bill No. 294** -- Workers' Compensation -- House Consumer and Employee Affairs Committee

**House Bill No. 295** -- Weakley County -- Local Bill Held on House Desk

**House Bill No. 296** -- Teachers, Principals and School Personnel -- House Education Committee

**\*House Bill No. 297** -- Safety -- House Education Committee

**\*House Bill No. 298** -- Criminal Offenses -- House Judiciary Committee

**\*House Bill No. 299** -- Mental Retardation -- House Judiciary Committee

**House Bill No. 300** -- Teachers, Principals and School Personnel -- House Education Committee

**\*House Bill No. 301** -- Workers' Compensation -- House Consumer and Employee Affairs Committee

**\*House Bill No. 302** -- Education -- House Education Committee

**House Bill No. 303** -- Consumer Protection -- House Consumer and Employee Affairs Committee

**WEDNESDAY, FEBRUARY 10, 1999 -- FIFTH LEGISLATIVE DAY**

- \*House Bill No. 304** -- Managed Care Organizations -- House Commerce Committee
- \*House Bill No. 305** -- Custody and Support -- House Children and Family Affairs Committee
- House Bill No. 306** -- Salaries and Benefits -- House State and Local Government Committee
- House Bill No. 307** -- Estates -- House Judiciary Committee
- \*House Bill No. 308** -- Employees, Employers -- House Consumer and Employee Affairs Committee
- \*House Bill No. 309** -- Statutes -- Caption Bill Held on House Desk
- \*House Bill No. 310** -- Insurance, Health, Accident -- Caption Bill Held on House Desk
- House Bill No. 311** -- Greene County -- Local Bill Held on House Desk
- House Bill No. 312** -- Milan -- Local Bill Held on House Desk
- House Bill No. 313** -- Salaries and Benefits -- House Judiciary Committee
- House Bill No. 314** -- Criminal Offenses -- House Judiciary Committee
- House Bill No. 315** -- Medical Occupations -- House Government Operations Committee
- \*House Bill No. 316** -- Taxes -- House Finance, Ways and Means Committee
- House Bill No. 317** -- Taxes, Sales -- House Finance, Ways and Means Committee
- House Bill No. 318** -- TennCare -- House Commerce Committee
- House Bill No. 319** -- Welfare -- House Health and Human Resources Committee
- \*House Bill No. 320** -- TennCare -- House Commerce Committee
- \*House Bill No. 321** -- Education -- House Education Committee
- House Bill No. 322** -- Children -- House Children and Family Affairs Committee
- \*House Bill No. 323** -- Real Estate Agents and Brokers -- House Commerce Committee
- \*House Bill No. 324** -- Criminal Offenses -- House Judiciary Committee
- \*House Bill No. 325** -- Workers' Compensation -- House Consumer and Employee Affairs Committee

**WEDNESDAY, FEBRUARY 10, 1999 -- FIFTH LEGISLATIVE DAY**

**\*House Bill No. 326** -- Highway Signs -- House Transportation Committee

**House Bill No. 327** -- Education, Higher -- House Education Committee

**\*House Bill No. 328** -- Public Funds and Financing -- House State and Local Government Committee

**House Bill No. 329** -- Taxes, Alcoholic Beverages -- House Finance, Ways and Means Committee

**House Bill No. 330** -- Salaries and Benefits -- House Judiciary Committee

**House Bill No. 331** -- Interest Rates -- House Judiciary Committee

**House Bill No. 332** -- TennCare -- Caption Bill Held on House Desk

**House Bill No. 333** -- Public Records -- House Judiciary Committee

**\*House Bill No. 334** -- Aged Persons -- Caption Bill Held on House Desk

**\*House Bill No. 335** -- Public Defenders -- House Judiciary Committee

**\*House Bill No. 336** -- Auctions and Auctioneers -- House Government Operations Committee

**\*House Bill No. 337** -- Auctions and Auctioneers -- Caption Bill Held on House Desk

**\*House Bill No. 338** -- Unemployment Compensation -- House Consumer and Employee Affairs Committee

**House Bill No. 339** -- Sunset Laws -- House Government Operations Committee

**House Bill No. 340** -- Sunset Laws -- House Government Operations Committee

**House Bill No. 341** -- Sunset Laws -- House Government Operations Committee

**House Bill No. 342** -- Sunset Laws -- House Government Operations Committee

**House Bill No. 343** -- Sunset Laws -- House Government Operations Committee

**House Bill No. 344** -- Sunset Laws -- House Government Operations Committee

**House Bill No. 345** -- Sunset Laws -- House Government Operations Committee

**House Bill No. 346** -- Sunset Laws -- House Government Operations Committee

**House Bill No. 347** -- Sunset Laws -- House Government Operations Committee

**House Bill No. 348** -- Sunset Laws -- House Government Operations Committee

**House Bill No. 349** -- Sunset Laws -- House Government Operations Committee

**WEDNESDAY, FEBRUARY 10, 1999 -- FIFTH LEGISLATIVE DAY**

**House Bill No. 350** -- Sunset Laws -- House Government Operations Committee

**House Bill No. 351** -- Sunset Laws -- House Government Operations Committee

**House Bill No. 352** -- Sunset Laws -- House Government Operations Committee

**House Bill No. 353** -- Sunset Laws -- House Government Operations Committee

**House Bill No. 354** -- Sunset Laws -- House Government Operations Committee

**House Bill No. 355** -- Sunset Laws -- House Government Operations Committee

**House Bill No. 356** -- Sunset Laws -- House Government Operations Committee

**House Bill No. 357** -- Sunset Laws -- House Government Operations Committee

**House Bill No. 358** -- Sunset Laws -- House Government Operations Committee

**House Bill No. 359** -- Sunset Laws -- House Government Operations Committee

**House Bill No. 360** -- Sunset Laws -- House Government Operations Committee

**House Bill No. 361** -- Sunset Laws -- House Government Operations Committee

**House Bill No. 362** -- Sunset Laws -- House Government Operations Committee

**House Bill No. 363** -- Sunset Laws -- House Government Operations Committee

**House Bill No. 364** -- Sunset Laws -- House Government Operations Committee

**House Bill No. 365** -- Sunset Laws -- House Government Operations Committee

**House Bill No. 366** -- Sunset Laws -- House Government Operations Committee

**House Bill No. 367** -- Sunset Laws -- House Government Operations Committee

**House Bill No. 368** -- Sunset Laws -- House Government Operations Committee

**House Bill No. 369** -- Sunset Laws -- House Government Operations Committee

**House Bill No. 370** -- Sunset Laws -- House Government Operations Committee

**House Bill No. 371** -- Sunset Laws -- House Government Operations Committee

**House Bill No. 372** -- Sunset Laws -- House Government Operations Committee

**House Bill No. 373** -- Sunset Laws -- House Government Operations Committee

**House Bill No. 374** -- Sunset Laws -- House Government Operations Committee

**House Bill No. 375** -- Sunset Laws -- House Government Operations Committee

**WEDNESDAY, FEBRUARY 10, 1999 -- FIFTH LEGISLATIVE DAY**

**House Bill No. 376** -- Sunset Laws -- House Government Operations Committee

**House Bill No. 377** -- Sunset Laws -- House Government Operations Committee

**House Bill No. 378** -- Sunset Laws -- House Government Operations Committee

**House Bill No. 379** -- Sunset Laws -- House Government Operations Committee

**House Bill No. 380** -- Sunset Laws -- House Government Operations Committee

**House Bill No. 381** -- Sunset Laws -- House Government Operations Committee

**House Bill No. 382** -- Sunset Laws -- House Government Operations Committee

**House Bill No. 383** -- Sunset Laws -- House Government Operations Committee

**House Bill No. 384** -- Sunset Laws -- House Government Operations Committee

**House Bill No. 385** -- Sunset Laws -- House Government Operations Committee

**House Bill No. 386** -- Sunset Laws -- House Government Operations Committee

**House Bill No. 387** -- Sunset Laws -- House Government Operations Committee

**House Bill No. 388** -- Sunset Laws -- House Government Operations Committee

**House Bill No. 389** -- Sunset Laws -- House Government Operations Committee

**House Bill No. 390** -- Sunset Laws -- House Government Operations Committee

**House Bill No. 391** -- Sunset Laws -- House Government Operations Committee

**House Bill No. 392** -- Sunset Laws -- House Government Operations Committee

**House Bill No. 393** -- Sunset Laws -- House Government Operations Committee

**House Bill No. 394** -- Sunset Laws -- House Government Operations Committee

**House Bill No. 395** -- Sunset Laws -- House Government Operations Committee

**House Bill No. 396** -- Sunset Laws -- House Government Operations Committee

**House Bill No. 397** -- Sunset Laws -- House Government Operations Committee

**House Bill No. 398** -- Sunset Laws -- House Government Operations Committee

**House Bill No. 399** -- Sunset Laws -- House Government Operations Committee

**House Bill No. 400** -- Sunset Laws -- House Government Operations Committee

**House Bill No. 401** -- Sunset Laws -- House Government Operations Committee

**WEDNESDAY, FEBRUARY 10, 1999 -- FIFTH LEGISLATIVE DAY**

**House Bill No. 402** -- Sunset Laws -- House Government Operations Committee

**House Bill No. 403** -- Sunset Laws -- House Government Operations Committee

**House Bill No. 404** -- Sunset Laws -- House Government Operations Committee

**House Bill No. 405** -- Sunset Laws -- House Government Operations Committee

**House Bill No. 406** -- Sunset Laws -- House Government Operations Committee

**House Bill No. 407** -- Sunset Laws -- House Government Operations Committee

**House Bill No. 408** -- Sunset Laws -- House Government Operations Committee

**House Bill No. 409** -- Sunset Laws -- House Government Operations Committee

**\*House Bill No. 410** -- Sunset Laws -- House Government Operations Committee

**House Bill No. 411** -- Motor Vehicles, Titling and Registration -- House Transportation Committee

**House Bill No. 412** -- County Government -- House State and Local Government Committee

**\*House Bill No. 413** -- Consumer Protection -- House Consumer and Employee Affairs Committee

**House Bill No. 414** -- Checks, Deferred Presentments -- House Commerce Committee

**REPORTS FROM STANDING COMMITTEES**

The committees that met on **February 9, 1999**, reported the following:

**COMMERCE**

The Commerce Committee recommends for passage: House Bill(s) No(s). 30 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

**REPORTS FROM STANDING COMMITTEES**

The committees that met on **February 10, 1999**, reported the following:

**TRANSPORTATION**

The Transportation Committee recommended for passage: House Bill(s) No(s). 43, 32, 47, 49, 10, and 39, also House Bill(s) No(s). 3 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

CONSENT CALENDAR

**House Resolution No. 7** -- Memorials, Recognition and Thanks - Charles Wayne "Bubba" Rose. by \*Phillips.

**House Joint Resolution No. 37** -- Memorials, Retirement - Ben K. Wilson. by \*McKee.

**House Joint Resolution No. 38** -- Memorials, Personal Achievement - Jordan Adams, Foreign Minister's Award. by \*Mumpower, \*Godsey, \*Westmoreland.

**House Joint Resolution No. 39** -- Memorials, Death - Lloyd McKenzie. by \*Davis (Cocke), \*Roach.

**House Joint Resolution No. 40** -- Memorials, Death - Mayor James Robinson. by \*Davis (Cocke), \*Whitson.

**House Joint Resolution No. 41** -- Memorials, Death - John Porter. by \*Davis (Cocke), \*Whitson.

**House Joint Resolution No. 42** -- Memorials, Death - Fred E. Hixson. by \*Davis (Cocke).

**House Joint Resolution No. 43** -- Memorials, Death - Morris Terry "Doodle" Quinton. by \*Davis (Cocke).

**House Joint Resolution No. 44** -- Memorials, Public Service - Coach Andy Trautman, Germantown Lions Club 1998 Citizen of the Year. by \*Scroggs.

**House Joint Resolution No. 47** -- Memorials, Congratulations - Jean and Thomas Hutchinson, Golden Wedding Anniversary. by \*Hood, \*Eckles.

**House Joint Resolution No. 48** -- Memorials, Personal Occasion - Allen and Mary Watts, 50th wedding anniversary. by \*Hood, \*Eckles.

**House Joint Resolution No. 49** -- Memorials, Sports - Oakland high School football team, TSSAA Division 1 Class 5A state champion. by \*Hood, \*Eckles.

**Senate Joint Resolution No. 25** -- Memorials, Death - J.B. Denton of McMinnville. by \*Cooper.

**Senate Joint Resolution No. 26** -- Memorials, Personal Achievement - J.R. Tate, Appalachian Trail hiker. by \*Kurita.

**Senate Joint Resolution No. 29** -- Memorials, Retirement - Pauline Sterry, Joelton Middle School. by \*Haynes.

**Senate Joint Resolution No. 30** -- Memorials, Death - Harvie Branscomb, Chancellor Emeritus, Vanderbilt University. by \*Henry, \*Herron, \*Harper, \*Haynes, \*Cohen.



**WEDNESDAY, FEBRUARY 10, 1999 -- FIFTH LEGISLATIVE DAY**

**Senate Joint Resolution No. 31** -- Memorials, Professional Achievement - Dr. Philip M. Mathis, Outstanding Undergraduate Science Teacher Award recipient. by \*Womack.

**Senate Joint Resolution No. 32** -- Memorials, Retirement - Hilman Key. by \*Graves.

**Senate Joint Resolution No. 64** -- Memorials, Death - King Hussein of Jordan. by \*Cohen, \*Atchley, \*Blackburn, \*Burchett, \*Burks, \*Carter, \*Clabough, \*Cohen, \*Cooper, \*Crowe, \*Crutchfield, \*Davis L., \*Dixon, \*Elsea, \*Ford J., \*Fowler, \*Graves, \*Harper, \*Haun, \*Haynes, \*Henry, \*Herron, \*Kurita, \*Kyle, \*Leatherwood, \*McNally, \*Miller J., \*Person, \*Ramsey, \*Rochelle, \*Springer, \*Wilder, \*Williams, \*Womack.

Rep. Kisber moved that all members voting aye on Senate Joint Resolution No. 64 be added as sponsors, which motion prevailed.

Pursuant to **Rule No. 50**, Rep. Phillips moved that all House Bills having companion Senate Bills and are on the Clerk's desk be conformed and substituted for the appropriate House Bill, all Senate and House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes .....97  
Noes .....0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 97.

A motion to reconsider was tabled.

**UNFINISHED BUSINESS**

**RULES SUSPENDED**

Rep. Hargrove moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 61 out of order, which motion prevailed.

**House Joint Resolution No. 61** -- General Assembly, Joint Conventions - William Snodgrass, former Comptroller of the Treasury, February 11, 1999, 9:30 a.m. by \*Hargrove.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. Hargrove, the resolution was adopted.

A motion to reconsider was tabled.

#### **RULES SUSPENDED**

Rep. Hargrove moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 63 out of order, which motion prevailed.

**House Joint Resolution No. 63** -- Memorials, Public Service - William R. Snodgrass, Comptroller of the Treasury. by \*Naifeh, \*Hargrove, \*DeBerry L, \*McDaniel.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. Hargrove, the resolution was adopted.

A motion to reconsider was tabled.

#### **SPONSORS ADDED**

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

**House Bill No. 258:** Rep. Walker as prime sponsor.

#### **ENGROSSED BILLS**

**February 10, 1999**

The following bill(s) have been examined, engrossed, and are ready for transmission to the Senate: House Joint Resolution(s) No(s). 37, 38, 39, 40, 41, 42, 43, 44, 47, 48, 49, 61, and 63.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

#### **ENROLLED BILLS**

**February 10, 1999**

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Resolution(s) No(s). 7; and find same correctly enrolled and ready for the signature of the Speaker.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**SIGNED**  
**February 10, 1999**

The Speaker signed the following: House Resolution(s) No(s). 7.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**ROLL CALL**

The roll call was taken with the following results:

Present.....93

Representatives present were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Shelby), Walker, Walley, West, Westmoreland, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 93.

**RECESS MOTION**

On motion of Rep. Hargrove, the House stood in recess until 9:00 a.m., Thursday, February 11, 1999.